

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT BLUEFIELD

JAMES EDWARD LEWIS,

Plaintiff,

v.

CIVIL ACTION NOS. 1:23-00814
1:24-00089

UNITED STATES OF AMERICA,

Defendant.

MEMORANDUM OPINION AND ORDER

A pretrial status conference for these matters was held on February 10, 2026, at 1:30 p.m., in Bluefield. Present at that hearing were counsel for the United States of America, Assistant United States Attorney Jason S. Bailey. Plaintiff James Edward Lewis, who is proceeding pro se, did not appear. Based upon plaintiff's failure to appear, as well as his failure to update his address when he was released from custody, defendant moved for dismissal of these cases pursuant to Federal Rules of Civil Procedure 16(f), 37(b)(2)(v), and 41(b). The court took defendant's motion to dismiss under advisement for a period of thirty (30) days. **If plaintiff fails to appear or otherwise prosecute this action within said thirty (30) day period, i.e., on or before March 12, 2026, the court will grant the motion to dismiss.** Trial of these matters currently

scheduled for March 3, 2026, was **CONTINUED** until further order of the court.

The Clerk is directed to forward a copy of this Memorandum Opinion and Order to counsel of record.

IT IS SO ORDERED this 17th day of February, 2026.

ENTER:

A handwritten signature in dark ink, reading "David A. Faber", is written over a horizontal line.

David A. Faber

Senior United States District Judge